



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,013	01/20/2004	William J. Vroon	BRP / 204	1651
26875 7590 03/09/2009 WOOD, HERRON & EVANS, LLP 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202				
EXAMINER				
GROSSO, HARRY A				
ART UNIT		PAPER NUMBER		
3781				
MAIL DATE		DELIVERY MODE		
03/09/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte WILLIAM J. VROON

Appeal 2008-3618
Application 10/761,013
Technology Center 3700

Decided: March 9, 2009

Before TONI R. SCHEINER, DONALD E. ADAMS, and
JEFFREY N. FREDMAN, *Administrative Patent Judges*.

SCHEINER, *Administrative Patent Judge*.

ERRATUM

On November 25, 2008, the Board of Patent Appeals and Interferences (hereinafter "Board") mailed a Decision on Appeal wherein on page 20 of the Decision, under the heading "SUMMARY," the Board affirmed the rejection of claims 1, 3, 4, 9, 10, 12, 15, 16, 17, 24, 25, 27, 45-49, 51-53, 55-58 and 60-62 under 35 U.S.C. § 103(a) as being unpatentable over Slager; Francis, Jr.; Silberman, and Anderson with respect to claims 1, 3, 4, 9, 10, 12, 15, 46-49, 51-53, 55 and 62; but reversed the rejection with

respect to claims 16, 17, 24, 25, 27, 45, 51-58, 60 and 61, inadvertently indicating the rejection of claims 51-53 and 55 as both affirmed and reversed. However, a review of the supporting opinion, particularly pages 15 and 16, reveals that Appellant's arguments were persuasive with respect to independent claim 51 (and its dependent claims 52, 53, and 55), and the Board's intention was to reverse the rejection with respect to claims 51-53 and 55.

In addition, a review of the supporting opinion reveals that claim 62 depends from claim 61, and therefore includes a limitation determined to have been nonobvious over the prior art. Finally, claim 54, which was rejected on a different ground, and not separately argued, depends from claim 51, and, therefore, also includes a limitation determined to be non-obvious over the cited prior art.

Therefore, this Erratum serves as notification to Appellant that the SUMMARY on page 20 of the Decision on Appeal is hereby modified to read as follows:

1. The rejection of claims 1, 3, 4, 9, 10, 12, 15, 16, 17, 24, 25, 27, 45-49, 51-53, 55-58, and 60-62 under 35 U.S.C. § 103(a) as unpatentable over Slager, Francis, Jr., Silberman, and Anderson is **AFFIRMED** with respect to claims 1, 3, 4, 9, 10, 12, 15, and 46-49, but **REVERSED** with respect to claims 16, 17, 24, 25, 27, 45, 51-53, 55-58, and 60-62.
2. The rejection of claim 2 under 35 U.S.C. § 103(a) as unpatentable over Slager, Francis Jr., Silberman, Anderson, and Budowski is **REVERSED**.

3. The rejection of claims 6, 19, 50, 54, and 59 under 35 U.S.C. § 103(a) as unpatentable over Slager, Francis Jr., Silberman, Anderson, and Bazany is AFFIRMED with respect to claims 6 and 50, but REVERSED with respect to claims 19, 54, and 59.
4. The rejection of claims 36 and 37 under 35 U.S.C. § 103(a) as unpatentable over Slager and Francis, Jr. is AFFIRMED.

TIME PERIOD FOR RESPONSE

The original time period for response is being reset as of the mailing of this Erratum.

CLJ

WOOD, HERRON & EVANS, LLP
2700 CAREW TOWER
441 VINE STREET
CINCINNATI, OH 45202